

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIE DUKES,

Plaintiff,

v.

Case No. 22-11045

FNU KENDALL, *et al.*,

Sean F. Cox

United States District Court Judge

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION (ECF NO. 22),
DISMISSING COMPLAINT WITH PREJUDICE FOR FAILURE TO PROSECUTE,
AND DENYING SUMMARY JUDGMENT MOTION AS MOOT**

Plaintiff, a prisoner proceeding *pro se*, filed this civil action asserting claims under 42 U.S.C. § 1983. This matter was referred to Magistrate Judge Elizabeth Stafford for all pretrial proceedings.

Thereafter, Defendants filed a Motion for Summary Judgment (ECF No. 18). Plaintiff failed to file any response to that motion and mail addressed to Plaintiff at the last address he provided to the Court has been returned to the Court as undeliverable.

In a Report and Recommendation issued on March 10, 2023 (“the R&R”), Magistrate Judge Stafford recommends that the Court: 1) dismiss this action with prejudice for failure to prosecute; and 2) deny Defendant’s summary judgment motion as moot. (ECF No. 22).

The time permitted for the parties to file objections to that Report and Recommendation has passed and no objections were filed. Accordingly, the Court hereby **ADOPTS** the March 10, 2022 Report and Recommendation and **ORDERS** that Plaintiff’s Complaint is **DISMISSED**

WITH PREJUDICE FOR FAILURE TO PROSECUTE.

IT IS FURTHER ORDERED that Defendants' summary judgment motion is **DENIED**
AS MOOT.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: March 30, 2023